

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNIVERSAL TRADING & INVESTMENT  
CO,

No. C-99-03073 MMC (EDL)

Plaintiff,

**ORDER ON MOTION TO EXTEND  
DISCOVERY CUTOFF**

v.

KIRITCHENKO ET AL,

Defendant.

Plaintiff's Motion to Extend Pretrial Discovery Cut-Off came on for hearing on May 10, 2007, at 2:30 p.m. John Aspelin represented Plaintiff; Zuzana Svihra Ikels represented Defendant Michael Menko; Daniel Horowitz represented Defendant Pavlo Lazarenko; Doron Weinberg represented Pavlo Lazarenko, Tamara Lazarenko, and Dugsbery, Inc.; Tracy Clements represented Defendants Peter Kiritchenko, Izabella Kiritchenko, Ludmila Kiritchenko, ABS, and Brancross. After fully considering the papers and the arguments at the hearing, and for good cause shown, the Court GRANTS IN PART Plaintiff's Motion as follows:

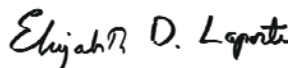
1. Plaintiff may pursue follow-up discovery as to information learned for the first time during the April 2007 deposition of Peter Kiritchenko, or learned from discovery served or produced less than one month before the April 27, 2007 discovery cutoff.
2. Follow-up discovery may include third party discovery from accounting firms Shwiff Levy Polo, LLP and Rowbotham & Company, LLP; and discovery from the attorney Graham Taylor or the law firm Pillsbury, Madison & Sutro related to the formation of a corporate tax structure for Mr. Kiritchenko. Discovery of information or documents from Graham Taylor or the law firm Pillsbury, Madison & Sutro shall be limited to

information or documents unavailable to Plaintiff at the time of Mr. Taylor's October 1999 deposition due to an assertion of the attorney-client privilege.

3. Plaintiff may pursue limited follow-up discovery if information is learned for the first time during the May 2007 deposition of Pavlo Lazarenko, or learned from discovery served or produced less than one month before the April 27, 2007 discovery cutoff.
4. Defendants must promptly produce all discovery pending at the time of the April 27, 2007 discovery cut-off, including discovery ordered by the Court's Orders of April 4 and May 2, 2007.
5. Notwithstanding the foregoing, Defendant Lazarenko is not required to comply with ¶3 of the Court's May 2, 2007 Order until the Court rules on Defendant Lazarenko's Request for Partial Reconsideration (Doc. No. 1346).
6. All other follow-up discovery is closed as to information that was known to Plaintiff, or witnesses who were clearly identified, before the discovery cut-off.
7. No further Motion to Compel may be brought by any party unless that party obtains leave of the Court by making a showing of truly good cause excusing that party's failure to bring the Motion to Compel within 10 days after the April 27, 2007 discovery cutoff.
8. The additional discovery granted by this Order shall be completed no later than June 15, 2007.

**IT IS SO ORDERED.**

Dated: May 15, 2007

  
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ELIZABETH D. LAPORTE  
United States Magistrate Judge